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\*\*REGISTERED PATENT AGENT

OUR FILE NO

MCRVT-023C

**FACSIMILE COVER SHEET**

Date: September 26, 2003

To: Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RECEIVED  
CENTRAL FAX CENTER

SEP 29 2003

OFFICIAL

Facsimile: 703-305-3590

Re: U.S. Patent Application No. 09/758,832  
Applicant: Horton  
Title: Insitu Formable and Self-Forming Intravascular Flow Modifier (IFM), Catheter  
and IFM Assembly and Method for Deployment of Same

From: Robert D. Buyan

Total Number of Pages: 42 (including this form). Please notify us immediately if you have not received all pages.

Message:

Applicant attempted unsuccessfully to fax file on September 23, 2003. A separate courtesy copy was faxed to Examiner Thaler on September 25, 2003. Thus, a one month extension appears to be due. The Commissioner is authorized to deduct the fee for such extension from the deposit account as authorized on the attached amendment transmittal.

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this correspondence for Serial No. 09/758,832 is being facsimile transmitted to the Commissioner for Patents at (703) 305-3590 on September 26, 2003.

Name of person sending facsimile: Francine Sanders, Assistant to Robert D. Buyan

Signature: 

**PRIVACY NOTICE:** This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential or exempt from disclosure under applicable law. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us at the above address. Thank you.

Attorney Docket No.: MCRVT-023C

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Horton )

Application No. 09/758,832 )

Filed: January 11, 2001 )

For: Insitu Formable and Self-Forming )  
Intravascular Flow Modifier (IFM), )  
Catheter and IFM Assembly, and Method )  
for Deployment of Same )

Art Unit: 3731

Examiner: Thaler, M.

**RECEIVED  
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SEP 29 2003**Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450Transmittal Letter**OFFICIAL**

Dear Sir:

- ☒ In accordance with Rule 136, the Commissioner is hereby petitioned for a \_\_\_\_ ( ) month extension of time, extending to \_\_\_\_\_, 2003 the period for response to the Office action dated June 23, 2003. Deposit Account No. 50-0878.
- ☐ Enclosed is a certified copy of Serial No. \_\_\_\_\_ from which priority is claimed in the subject case pursuant to 37 CFR § 1.55b and 35 U.S.C. § 119.
- ☐ Enclosed is an Assignment of the invention to [Assignee], including a cover sheet and Check No. [Assignment Check No.] for \$40.
- ☐ A Declaration of Inventorship and Limited Power of Attorney is enclosed.
- ☒ Enclosed are proposed drawing change to Figures 11 and 13.
- ☒ Enclosed is a supplemental information disclosure statement.
- ☒ Enclosed herewith is a amendment/response for filing in relation to the above-identified application. Entry and consideration of this amendment/response is requested.

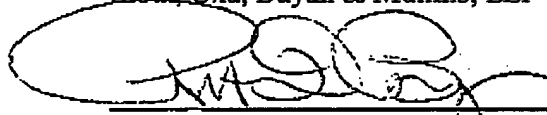
- ☐ Check No.---- is enclosed covering the additional filing fees in the amount of \$0.00, with the fees calculated as follows:

	(Col. 1) Claims Remaining After Amendment	(Col. 2) Highest No. Previously Paid For	(Col. 3) Present Extra	Small Entity Additional Rate Fee	Other than a Small Entity Additional Rate Fee
Total claims	16	- 20	= 0	x 9 \$	Or x 18 \$
Independent claims	2	- 2	= 0	x 42 \$	Or x 84 \$
First presentation of multiple dependent claims				+ 140 \$	Or + 280 \$
				Total \$	Or Total \$

- ☒ The Commissioner is hereby authorized to charge any underpayment and credit any overpayment of the filing fees required under 37 CFR § 1.16 and any patent application processing fees required under 37 § CFR 1.17 to Deposit Account No. 50-0878.

Respectfully submitted,  
Stout, Uxa, Buyan & Mullins, LLP

Date: September 23, 2003



Robert D. Buyan, Reg. No. 32,460

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#### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being transmitted by facsimile to (703) 305-3590 addressed to: Mail Stop AF Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on September 23, 2003.

Dated: September 23, 2003

By:



Sara Bogdanov, Assistant

Appl. No. 10/151,350  
Amdt. Dated September 23, 2003  
Reply to Office Action of June 23, 2003

Attorney Docket No. MCRVT-023C

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Horton, et al. )

Art Unit: 3731

Application No. 09/758,832 )

Examiner: Thaler, M.

Filed: January 11, 2001 )

For: Insitu Formable and Self-Forming )  
Intravascular Flow Modifier (IFM) and )  
IFM Assembly for Deployment of Same )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO OFFICE ACTION DATED JUNE 23, 2003**

Sir:

In response to the Office Action dated June 23, 2003, please amend the above-identified application as follows:

**Amendments to the Specification** begin on page 2 of this paper.

**Amendments to the Claims** are reflected in the listing of claims begins on page 3 of this paper.

**Amendments to the Drawings** begin on page 7 of this paper and are accompanied by separate sheets showing proposed changes to Figures 11 and 13

**Remarks/Arguments** begin on page 8 of this paper.